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HIGH COURT OF CHHATTISGARH AT BILASPUR  
DIVISION BENCH

CORAM: HON'BLE SHRI H.L. DATTU, C.J. &  
HON'BLE SHRI D.R. DESHMUKH, J.

W.P.(P.I.L.) No.1967 of 2007

PETITIONER

Kandru Ram Bhagat, S/o Shri Chaitu  
Ram Bhagat, aged 55 years, Oraon by  
Caste, Sanrkshak Atkha Padha Sogda,  
R/o Village Sogda, Tahsil and District  
Jashpur (C.G.)

VERSUS

RESPONDENTS

1. State of Chhattisgarh, Through  
Collector Jahspur Nager.
2. Jagdeo Ram Oraon, s/o not known, r/o  
village Kondo, Tahsil and District  
Jashpur President Kalayan Ashram  
Jahspur Nager (Chhattisgarh).
3. Jageshwar Ram Bhagat, s/o not  
known, Mahamantri Kalayan Ashram  
Jashpur Nager, r/o Jashpur Nager,  
Tahsil and Distt. Jashpur  
(Chhattisgarh).
4. Ravindra Kumar Naiyak, s/o not  
known, r/o Jashpur Nager, Tahsil and  
District Jashpur Nager (Chhattisgarh).

Writ petition under Articles 226/227 of the Constitution of India.

Present: Shri J.S. Baraik, counsel for the petitioner.  
Shri Prashant Mishra, Addl. A.G. for the State.

ORAL ORDER

(Passed on 13<sup>th</sup> April, 2007)

The following oral order of the Court was passed by

**H.L. Dattu, C.J. :**

The petitioner – Sangh is before this Court *inter alia* seeking the  
following reliefs :

- (A) The Hon'ble Court may kindly be pleased to issue a writ in the  
nature of mandamus directing the respondents to maintain  
peace and not to interfere in the ceremony of the celebration of

Sarhul Sarna Puja which is held on settle date of full moon day of Chaitra Mas of the year.

- (B) The Hon'ble Court may further be pleased to direct the respondent no.1 that the amount of aid as sanctioned by the State Govt. shall be paid to the petitioner or Vinod Pradhan resident of Deepatoli Jashpur who is President of Mulli Pada of Uoan tribal people each year.
- (C) Costs and any other relief which are deemed fit by this Hon'ble Court.

(2) This Court while entertaining this writ petition on 30.03.2007 had granted interim order and thereby had permitted the petitioner -Sangh to celebrate 'Sarhul Puja'.

(3) In view of the interim order passed by this Court, we are informed by learned counsel for the petitioner as well as learned Additional Advocate General for the State that the petitioner - Sangh has peacefully performed "Sarhul Puja". Therefore, first prayer sought for by the petitioner, as on today, would not survive for consideration of this Court.

(4) The other prayer sought for by the petitioner- Sangh is to direct the State Government to grant financial aid to the petitioner- Sangh to perform "Sarhul Puja" for the years to come. In our opinion, for the above prayer the petitioner at the first instance should go before the State Government and seek financial aid by making appropriate representation and if for any reason that representation of the petitioner - Sangh is not considered positively by the respondents, then only a cause of action would arise to approach this Court. In that view of the matter, we decline to grant the second prayer sought for by the petitioner - Sangh. However, liberty is reserved to the petitioner - Sangh to go before the State Government to seek appropriate reliefs by filing appropriate representations. It is needless to state that if and when such representations are made, the respondent No. 1/State would consider the same in accordance with law. Ordered accordingly.

Sd/-  
Chief Justice

Sd/-  
Dilip Raosaheb Deshmukh  
Judge